

Exhibit A
Circular No. A-28

INSTRUCTIONS FOR ESTABLISHING FEES FOR
COPYING, CERTIFICATION, AND SEARCH OF RECORDS

1. Definitions and coverage. The services covered by Circular No. A-28 (hereafter referred to as the Circular) are defined as follows:
 - a. Copying: This covers furnishing upon request copies of records or other materials in the agency files or in other collections of materials. It includes copying by hand or by typewriter, photographic processes, and any other method of copying. It also includes the issuance of duplicates, substitutes, or replacements of documents such as licenses, certificates, and bonds. It excludes reproductions which are kept in stock to meet recurring orders, such as maps and charts. It excludes the quantity reproduction from the original typing, stencils, plates, masters, or negatives, of documents already produced in quantity, such as printed booklets and material already duplicated for an agency's use. It also excludes preliminary copies of maps, navigation charts, and aerial photographs.
 - b. Certification: This covers certifying upon request the source or authenticity of records or of copies and to affix any seal.
 - c. Search: This covers searching upon request files and records for examination or for copying of information contained in them. It includes unsuccessful search if the search is requested to determine the existence or nonexistence of a record. It excludes searching of collections in libraries, museums, or archives done as a part of the ordinary services customarily provided free by such establishments.

The Circular applies to the above services when rendered to members of the public by any agency in the executive branch of the Government, except the government of the District of Columbia. It does not apply to such services when rendered to other agencies or branches of the Federal Government, or when performed in connection with a special research study or compilation when the party requesting such services is charged an amount for the whole job.

2. Determination of fees. The following standards shall govern charges:

- a. The charge for searching shall be based upon reasonable approximation of cost as determined under paragraph 3 below and in any one of three ways: (1) by establishing a charge

- 2 -

per unit for all searches; (2) by establishing a schedule of charges per unit for different classes of searches or for different objects of searches; or (3) by establishing a charge per hour (or other time period) spent in searching.

- b. The charges for copying by mechanical methods shall be not less than those set forth in paragraph 4 below, and may be increased by any agency which finds those rates to be below its costs as determined under paragraph 3 below, but the charges so established shall not be in excess of costs.
- c. The charge for copying by any means not covered under paragraph 4 below shall be based upon a reasonable approximation of cost as determined under paragraph 3 below. The charge shall be established on the basis of cost per line of transcribing and verifying, except in those cases where the agency determines that some other unit of work or time is more appropriate. The charge shall be higher for the first copy than for any additional copies if there is a significant difference in cost.
- d. The charge for certifications and validations placed on copies produced under the control of the agency shall be 25¢ for each certification or validation. Where a seal is affixed, the charge shall be 50¢ for each instance, without additional charge for certification or validation. For copies prepared or produced outside the agency's control, these charges shall be increased by a reasonable approximation of the cost of verifying the copy against the agency's records.
- e. The fees for services covered by the Circular may be combined into a single fee, provided that the elements are computed separately in arriving at the single fee.
- f. If the copy is to be transmitted by registered mail, airmail, or special delivery mail, the postal fees therefor shall be added to the other fees provided herein (or the order must include postage stamps or stamped return envelopes for the purpose).
- g. The fees may be expressed to the nearest multiple of 5¢ whenever practicable.
- h. Savings in cost on quantity orders may be reflected in the fees charged, either by setting a scale of fees, or by a system of percentage discounts, according to quantities ordered. A minimum charge of at least 50¢ per order shall be made to assure recovery of cost on small orders.

(No. A-28)

- 3 -

- i. No trade or other discount (other than the quantity discount permitted in h above) shall be allowed.
3. Determination of cost. Costs of performing the services covered shall include:
 - a. Salaries and wages earned by personnel assigned to perform the services full-time or part-time, including all types of paid leave and standby time.
 - b. The purchase price of supplies and materials and the costs of contractual services used in performing the service.
 - c. An appropriate share of the original cost (depreciation) of the equipment used, and of the cost of maintenance and operation of such equipment.
 - d. The cost of any reproduction services obtained from outside the agency.
 - e. An additional factor of not less than 15 percent of the sum of the above costs, to cover generally such indirect costs as agency overhead; collection and deposit of fees; maintenance, operation, and depreciation of buildings; the Government's share of the retirement or social security benefits for the employees; workmen's compensation; and work performed by central agencies.

Wherever the cost data listed above are calculated for a total operation, of which part is for the Government's own use and part for services to others subject to the Circular, the costs shall be prorated between these two purposes in accordance with the volume of work or time which pertains to each.

Where adequate cost accounts are kept, they shall be used in determining the fees established under the Circular. Where cost accounts are not kept, each agency shall make at least once every two years such sample studies or surveys of costs as are necessary to obtain a reasonable approximation of costs. Such studies shall be kept available for comparisons.

4. Fees for copying services. Minimum fees for copying by the mechanical methods here indicated shall be as follows:

- 4 -

<u>Methods and sizes</u>	<u>First copy of each page (one side)</u>	<u>Additional copies of the same page</u>
<u>Photocopy paper negatives and prints</u>		
Up to 9 x 12	20¢ each	15¢ each
12 x 18 (two 9 x 12 units)	30¢ each	25¢ each
18 x 24 (four 9 x 12 units)	50¢ each	45¢ each
<u>Diazo process prints (if negative needed, add cost thereof)</u>		
Up to 1 sq. ft.	10¢ each	5¢ each
More than 1 sq. ft.	7¢ per sq. ft.	5¢ per sq. ft.
<u>Photographic film negatives and prints (single weight paper)</u>		
Approximately 8 x 10 $\frac{1}{2}$	\$1.90 (including negative)	50¢ each

5. Circumstances under which services may be provided free. The services covered by the Circular may be provided free, at the discretion of the agencies, under a through i below, and shall be provided free under j below.

- a. When requested by a court, when the copy will serve as a substitute for personal court appearance of a Government witness.
- b. To press, radio, television, and newsreel representatives for dissemination to the general public.
- c. To donors with respect to the original of their gift, individuals or associations having an official voluntary or cooperative relationship to an agency in rendering assistance toward its work, or national governments and international agencies when furnishing the service without charge is an appropriate courtesy.
- d. To agencies of State and local governments which are carrying on a function related to that of the Federal agency involved, when furnishing the service will help to accomplish an objective of the Federal agency.
- e. When furnishing the service free saves costs or yields income equal to the direct costs of the agency providing the service. This includes cases where the fee for the service would be included in a billing against the Government (for example, in cost-type contracts, or in the case of private physicians who are treating Government beneficiaries at Government expense).

(No. A-28)

- 5 -

- f. When furnishing the service free is in conformance with generally established business custom, such as furnishing personal reference data to prospective employers of former Government employees.
 - g. To the extent of one copy, to those who require copies of records or information from the records in order to obtain financial benefits to which they may be entitled (e.g., veterans or their dependents, employees with workmen's compensation claims, or persons insured by the Government).
 - h. When a service is occasional and incidental, not of a type that is requested often, and if it is administratively determined that a fee would be inappropriate in such an occasional case.
 - i. To an individual directly concerned in a hearing or other formal proceeding involving security requirements for Federal employment, one copy of any transcript made of such hearing or other proceeding.
 - j. To persons who have been required to furnish personal documents (e. g., birth certificates) for retention by an agency of the Government, one copy of any such document.
6. Conflict of policy with outstanding contracts. Insofar as the instructions under the Circular are in conflict with a contract of the Government which is not yet fully executed, the contract terms shall be observed, but no contract shall be entered into or extended hereafter at variance with the Circular.
7. Announcement and review of fee schedules. Each agency shall announce a schedule of the fees it establishes under the Circular for services which it performs regularly, so that so far as is practicable and economical, those requesting the services be given an opportunity to know of the fee schedule. This requirement is in addition to, not in substitution for, any other procedural requirement which may be applicable to change in fee schedules by the agency concerned.

Fee schedules shall be reviewed by each agency at least once every two years.

(No. A-28)